

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Yakov Kamen, et al.  
SERIAL NUMBER: 09/784,840  
FILED: February 15, 2001  
FOR: METHOD AND APPARATUS FOR A THREE-  
DIMENSIONAL WEB-NAVIGATOR  
GROUP ART UNIT: 2179  
ATTORNEY DOCKET NO.: 091451.00114 (formerly ISURFTV114)

Mail Stop Appeal Brief - Patent  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF

1. REAL PARTY IN INTEREST

The real party in interest is Appellant, Eagle New Media Investments, LLC,  
having an address of: 435 North Michigan Avenue, c/o Tribune Media Services, Inc.,  
Chicago, Illinois 60611, United States of America.

2. RELATED APPEALS AND INTERFERENCES

Upon information and belief, there are no other appeals or interferences that  
will directly affect or be directly affected by or having a bearing on the Board's  
decision in this pending Appeal.

01/12/2007 CCHAU1 00000040 501667 09784840  
01 FC:2402 250.00 DA

3. STATUS OF SPECIFICATION AND CLAIMS

Objection to Specification

There are no objections to the specification.

In the Claims

Claims 1-4 and 6-11 are pending and appealed.

Rejection Under 35 U.S.C. 103(a)

Claim 1

Claims 1-4 and 6-11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 6,611,262 B1) and Dalal et al. (US 6,363,404 B1).

4. STATUS OF AMENDMENTS

In response to the April 10, 2006 "final" Office Action, Applicant filed a Notice of Appeal and Request for Three Month Extension of Time on October 10, 2006.

5. SUMMARY OF INVENTION

The subject invention in its preferred embodiment involves a computer-implemented method in which information obtained from a uniform resource locator or URL is converted into at least one texture 600. The texture is then mapped onto a surface of a three-dimensional object located in the virtual three-dimensional space 610 thereby forming a three-dimensional navigation mechanism.

6. ISSUES (GROUNDS OF REJECTION TO BE REVIEWED)

Whether an adequate basis has been set forth to reject Claims 1-4 and 6-11 as being unpatentable over Suzuki and Dalal et al.

7. ARGUMENT

Claim 1

Claim 1 is directed to a computer-implemented method for creating a three-dimensional navigation of a virtual three-dimensional space comprising: associating a plurality of uniform resource locators obtained from a video presentation into a corresponding plurality of textures; and mapping the textures on geometric surfaces which define a three-dimensional space.

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki and Dalal. The Examiner contends that it would have been obvious to one of ordinary skill in the art "to modify Suzuki's method of attaching textures to 3D objects to include Dalal's method for providing hyperlinking within textures of 3D models because it provides users with an interface that increases the ease of user interaction by facilitating selection and manipulation of objects and textures in a 3D environment having multiple regions or geometric surfaces" (emphasis added).

Appellant respectfully asserts that no teaching, suggestion or motivation has been set forth in support of the Section 103 rejection. Therefore, under the current state of the legal precedent of *KSR v Teleflex* pending before the U.S. Supreme Court (Case No. 04-1350), a *prima facie* showing of obviousness under Section 103 has not been set forth.

The assertion that the combination of Suzuki with Dalal as urged by the Examiner "provides users with an interface that increases the ease of user interaction by facilitating selection and manipulation of objects and textures in a 3D environment having multiple regions or geometric surfaces" constitutes nothing more than classic picking and choosing select elements of the prior art with 20/20

hindsight of Applicants' invention. Modern legal precedent on obviousness no longer requires synergistic combinations. Nor is every combination invention that is easier to use *de facto* obvious. Rather, the prior art must provide the teaching, motivation or suggestion necessary for a *prima facie* showing of obviousness.

Moreover, since Dalal teaches using "stored markup documents", it actually teaches away from the claimed invention because it does not teach or suggest that a URL obtained from a video presentation may be associated with a plurality of textures which are mapped on geometric surfaces which define a three-dimensional space.

Applicants therefore respectfully urge reversal of the rejection of Claim 1.

#### Claims 2-3

Claim 2 and 3 are directed to a computer-implemented method identifying at least one event associated with a three-dimensional image having a plurality of surfaces, each of which is associated with a uniform resource locator obtained from a video presentation and determining a position of one of said surfaces in a virtual three-dimensional space and placing an event driven result on one of said surfaces.

The Examiner asserts that the Suzuki/Dalal combination teaches identifying events associated with a 3D image having a plurality of surfaces, each associated with a link (URL) determining a position of the surface in a virtual 3D space, and placing an event driven result on the surfaces.

Applicants repeat their arguments made in connection with Claim 1 and again note that Dalal's "stored markup documents" do not teach or suggest that a

URL obtained from a video presentation may be associated with a plurality of textures which are mapped on geometric surfaces which define a three-dimensional space.

Claims 4, 8 and 10

Claims 4, 8 and 10 are directed to a computer-implemented method for creating a three-dimensional navigation of a virtual three-dimensional space associating a plurality of uniform resource locators obtained from a video presentation into a corresponding plurality of textures and mapping the textures on geometric surfaces which define a three-dimensional space wherein a three-dimensional pipeline is used in converting or transferring information obtained from at least one uniform resource locator and wherein a storage medium including instructions stored thereon which when executed cause a computer system to perform a method including correlating a plurality of uniform resource locators obtained from a video presentation into a corresponding plurality of textures and mapping the textures on surfaces of three-dimensional objects located in a three-dimensional space.

The Examiner asserts that the Suzuki/Dalal combination teaches a processing unit having hardware and software components for storing markup documents in texture image file and a three-dimensional processing component for mapping the information in a texture image file.

Applicants repeat their arguments made in connection with Claim 1 and again note that Dalal's "stored markup documents" do not teach or suggest that a

URL obtained from a video presentation may be associated with a plurality of textures which are mapped on geometric surfaces which define a three-dimensional space.

Claims 7 and 11

Claims 7 and 11 are directed to a processor coupled to a memory, the memory having stored therein instructions which when executed by the processor cause the processor to associate a plurality of uniform resource locators obtained from a video presentation with a corresponding plurality of textures, mapping the textures on corresponding surfaces of a three-dimensional object located in a virtual three-dimensional space, which forms the three-dimensional navigation mechanism and an interconnect coupled to the processor and the memory to allow the data to be transported between the memory and the processor, further comprising instructions which when executed by the processor can cause the processor to determine a position of the surface on the three-dimensional object in the virtual three-dimensional space, placing an event driven result on the surface of the three-dimensional object in the virtual three-dimensional space. The claims are also directed to a method of computing a position of surface on the three-dimensional object in the virtual three-dimensional space and placing an event driven result on the surface of the three-dimensional object in the virtual three-dimensional space.

The Examiner asserts that Suzuki/Dalal teach a storage medium including instructions (Fig. 1) which when executed cause a computer system to correlate

links into a corresponding texture and map the textures on surfaces of 3D objects located in the 3D space.

Applicants repeat their arguments made in connection with Claim 1 and again note that Dalal's "stored markup documents" do not teach or suggest that a URL obtained from a video presentation may be associated with a plurality of textures which are mapped on geometric surfaces which define a three-dimensional space.

8. CLAIMS APPENDIX

1. A computer-implemented method for creating a three-dimensional navigation of a virtual three-dimensional space comprising:

associating a plurality of uniform resource locators obtained from a video presentation into a corresponding plurality of textures; and

mapping the textures on geometric surfaces which define a three-dimensional space.

2. A computer-implemented method comprising:  
identifying at least one event associated with a three dimensional image having a plurality of surfaces, each of which is associated with a uniform resource locator obtained from a video presentation;

determining a position of one of said surfaces in a virtual three-dimensional space.

3. The computer-implemented method of claim 2, further comprising:  
placing an event driven result on one of said surfaces.

4. The computer-implemented method of claim 1, wherein a three-dimensional pipeline is used in converting information obtained from at least one uniform resource locator.

5. (Canceled)

6. An apparatus comprising:  
a processor coupled to a memory, the memory having stored therein instructions which when executed by the processor cause the processor to associate a plurality of uniform resource locators obtained from a video presentation with a corresponding plurality of textures

map the textures on corresponding surfaces of a three-dimensional object located in a virtual three-dimensional space, which forms the three-dimensional navigation mechanism; and

an interconnect coupled to the processor and the memory to allow the data to be transported between the memory and the processor.

7. The apparatus of claim 6, further comprising instructions which when executed by the processor cause the processor to

determine a position of the surface on the three-dimensional object in the virtual three-dimensional space; and

place an event driven result on the surface of the three-dimensional object in the virtual three-dimensional space.

8. The apparatus of claim 6, wherein a three-dimensional pipeline is used to transfer information obtained from a uniform resource identifier.



9. A storage medium including instructions stored thereon which when executed cause a computer system to perform a method including:

correlating a plurality of uniform resource locators obtained from a video presentation into a corresponding plurality of textures; and

mapping the textures on surfaces of three-dimensional objects located in a three-dimensional space.

10. The storage medium of claim 9, wherein a three-dimensional pipeline is used to transfer information obtained from the uniform resource identifier.

11. The storage medium of claim 9, wherein the method further includes: computing a position of a surface on the three-dimensional object in the virtual three-dimensional space; and

placing an event driven result on the surface of the three-dimensional object in the virtual three-dimensional space.

9. EVIDENCE APPENDIX

Upon information and belief, there is no evidence related to this case.

10. RELATED PROCEEDINGS APPENDIX

Upon information and belief, there are no related proceedings to this application.

CONCLUSION

Applicant, through its undersigned attorney, requests oral argument to more fully explain the claimed invention with the Board and amplify the distinctions discussed above. It is respectfully urged that the Examiner's rejections of the

Claims are without proper foundation as a matter of law. Reversal of the rejections is respectfully requested.

Respectfully submitted,




Stefan V. Stein 29,702  
Holland & Knight LLP  
P.O. Box 1288  
Tampa, Florida 33601-1288  
Telephone: 813/227-8500  
Facsimile: 813/229-0134  
Email: ptotpa@hklaw.com

CERTIFICATE OF MAILING

I HEREBY CERTIFY that the foregoing Appeal Brief was placed in an envelope with a request for a one month extension of time and mailed via U.S. Express Mail (No. ER965763646USUS), postage prepaid to: Mail Stop Appeal Brief – Patent, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this the 10<sup>th</sup> day of January, 2007.

The Commissioner is hereby authorized to charge any additional fees at LARGE ENTITY rates which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 50-1667.

  
Stefan V. Stein